



IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

BARRY LYNN VIA,

Plaintiff,

v.

Civil Action No.3:07CV778

HELEN F. FAHEY, et al.,

Defendants.

FINAL ORDER

In accordance with the accompanying Memorandum Opinion, it is hereby ORDERED that:

1. Via's objections to the Report and Recommendation (Docket No. 15) are OVERRULED;
2. The Report and Recommendation is ACCEPTED AND ADOPTED;
3. The action is DISMISSED; and,
4. The Clerk is DIRECTED to note the disposition of the action for purposes of 28 U.S.C. § 1915(g).

Via may appeal the decision of the Court. Failure to file written notice of appeal within thirty (30) days of the date of entry hereof may result in the loss of the right to appeal.

The Clerk is DIRECTED to send a copy of this Order to Via.

And it is so ORDERED.

_____/s/ RER_____
Robert E. Payne
Senior United States District Judge

Date: January 28, 2009
Richmond, Virginia